



The Honorable Tom Carper

Chairman
Committee on Environment and Public Works
410 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Shelley Moore Capito

Ranking Member
Committee on Environment and Public Works
456 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Carper and Ranking Member Capito,

We submit this letter on behalf of Waterkeeper Alliance and 30 Waterkeeper groups to express our concerns regarding 6PPD, an organic chemical globally used as a stabilizing additive in rubbers and universally used in vehicle tires. 6PPD's byproduct, 6PPD-quinone (6PPD-q), is one of the most potent acute aquatic toxicants, a category of chemicals which cause substantial damage to living organisms and human health through aquatic exposure. We are pleased the committee is holding a hearing to examine 6PPD and 6PPD-q, and we wish to highlight two critical issues from our work.

Waterkeeper Alliance is a global movement uniting more than 300 community-based Waterkeeper groups around the world, focusing citizen action on issues that affect our waterways, from pollution to climate change. The Waterkeeper movement patrols and protects nearly six million square miles of rivers, lakes, and coastlines in the Americas, Europe, Australia, Asia, and Africa. In the U.S., Waterkeeper Alliance represents the interests of more than 150 U.S. Waterkeeper groups and their more than one million members and supporters that live, work, and recreate in or near waterways across the country, many severely impaired by pollution.

An urgent response is needed to eliminate 6PPD from future production

Over time, the durability of 6PPD weakens and transfers tire particles onto roadways. Stormwater can then wash those particles into nearby waterways. When the 6PPD chemical is exposed to air, it becomes 6PPD-q.¹ In turn, 6PPD-q has had detrimental ecotoxic impacts on fish, especially several salmonid populations.² Though 6PPD has been in use since the 1960s, and salmon and trout have been observed to be dying from runoff mortality syndrome since the

¹ 6PPD-quinone, U.S. EPA, (May, 20, 2024), <https://www.epa.gov/chemical-research/6ppd-quinone>.

² *Tire anti-degradant (6PPD) and 6PPD-quinone*, State of Washington, Department of Ecology, (last visited May 24, 2024),

<https://ecology.wa.gov/waste-toxics/reducing-toxic-chemicals/addressing-priority-toxic-chemicals/6ppd#:~:text=6PPD%20stands%20for%20the%20chemical.and%20helps%20them%20last%20longer>.

1990s, science only discovered 6PPD-q in 2020, and the link between tires and its deadly impact on this endangered species.³

One primary environmental and public health concern is the lack of alternatives for manufacturing durable and affordable tires without 6PPD. Federal investment must be made to encourage transparent research into other options for 6PPD and its resulting 6PPD-q. Congress must also be ready to regulate and phase out 6PPD once a viable alternative is found. Due to the ubiquitous nature of tires, every community is impacted by the use of dangerous chemicals that we are only starting to understand.

Steps must be taken now to mitigate the effect of 6PPD and 6PPD-q on ecosystems

6PPD-q is harmful to rainbow and brook trout, coho salmon, and chinook salmon and is quickly lethal.⁴ Scientists believe that far more species are impacted by 6PPD-q, as it is the second-most toxic chemical for aquatic species ever evaluated. Because 6PPD-q is a recently discovered contaminant, and EPA is currently researching its impact on the environment and human health, we have yet to determine its full effect.

However, we cannot wait to understand the dangerous effects of 6PPD and 6PPD-q fully, as it is clear action is needed now. Washington State has proposed 6PPD-q freshwater quality discharge limits of 0.008 micrograms/liter. California has designated it as a priority chemical.⁵ Litigation is pending in the United States District Court for the Northern District of California against tire manufacturers on the basis that the use of 6PPD in tires is a violation of the Endangered Species Act.⁶ We know that we can take steps to mitigate the impact of 6PPD and 6PPD-q without waiting to find a viable alternative to its use in tire production. A front line to addressing these dangerous chemicals is better stormwater management. With better management of stormwater source control, flow control, and runoff treatments, we can significantly reduce how much 6PPD and 6PPD-q are making it into our water.⁷

We encourage Congress to invest quickly in long-term and short-term solutions to address 6PPD and 6PPD-q.

Sincerely,

³ *What We Know: 6PPD and 6PPD-quinone*, Interstate Technology Regulatory Council, (July 2023), <https://6ppd.itrcweb.org/wp-content/uploads/2023/09/6PPD-Focus-Sheet-Web-Layout-9.pdf>

⁴ EPA *supra* at note 1.

⁵ *The Rubber Meets the Road with California's Green Chemistry Law*, Holland and Knight, (Aug. 17, 2023), <https://www.hklaw.com/en/insights/publications/2023/08/the-rubber-meets-the-road-with-californias-green-chemistry-law>.

⁶ *U.S. Fishing Groups Sue Tire Manufacturers Over 6PPD Impacts on Salmon, Steelhead*, Earthjustice, (Nov. 8, 2023) <https://earthjustice.org/press/2023/u-s-fishing-groups-sue-tire-manufacturers-over-6ppd-impacts-on-salmon-steelhead>

⁷ Focus on: Best Management Practices for 6PPD-q, State of Washington, Department of Ecology, (Jan. 2023) <https://apps.ecology.wa.gov/publications/documents/2310001.pdf>

Waterkeeper Alliance	Atchafalaya Basinkeeper
Bayou City Waterkeeper	Black Warrior Riverkeeper
Baltimore Harbor Waterkeeper	Cahaba Riverkeeper
California Coastkeeper Alliance	Calusa Waterkeeper
White Oak Waterkeeper	Columbia Riverkeeper
Kansas Riverkeeper	Hudson Riverkeeper
Humboldt Waterkeeper	Inland Empire Waterkeeper
Lake Erie Waterkeeper	Long Island Soundkeeper
Milwaukee Riverkeeper	Missouri Confluence Waterkeeper
Orange County Coastkeeper	Peconic Baykeeper
Russian Riverkeeper	Satilla Riverkeeper
Seneca Lake Guardian, a Waterkeeper Affiliate	Snake River Waterkeeper
Spokane Riverkeeper	Tar Creekkeeper
Tennessee Riverkeeper	Three Rivers Waterkeeper
Tualatin Riverkeepers	Waterkeepers Chesapeake
Yuba River Waterkeeper	